

# PUBLIC NOTICE

US Army Corps of Engineers New York District Jacob K. Javits Federal Building New York, N.Y. 10278-0090 ATTN: Regulatory Branch

### In replying refer to:

Public Notice Number: NAN-2007-1103-WCA

Issue Date: January 30, 2008

Expiration Date: February 22, 2008

#### To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: New Jersey Turnpike Authority

P.O. Box 5042

Woodbridge, New Jersey 07095

ACTIVITY: Discharge fill material into waters of the United States to facilitate roadway improvements to New

Jersey Turnpike Interchange 18W and associated NWC ramp, upgrade existing culverts, and

install new outfall structures.

WATERWAY: Moonachie Creek (Hackensack River Watershed)

LOCATION: Borough of Carlstadt, Bergen County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

## CENAN-OP-RW PUBLIC NOTICE NO. NAN-2007-1103-WCA

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions or proposed actions, that are either permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Based upon a review of the "Guide to Essential Fish Habitat Designations in the Northeastern United States," issued by the National Oceanic and Atmospheric Administration/National Marine Fisheries Service (NOAA-FS), the EFH for several aquatic species and their life stages in the proposed project area could potentially be impacted by the proposed work. Further consultation with NOAA-FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to a final decision on the application.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration: New Jersey Department of Environmental Protection Waterfront Development Permit.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8412 and ask for James Cannon.

## CENAN-OP-RW PUBLIC NOTICE NO. NAN-2007-1103-WCA

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

Richard L. Tor

Chief, Regulatory/Brancl

**Enclosures** 

#### WORK DESCRIPTION

The applicant, the New Jersey Turnpike Authority (NJTA), has requested Department of the Army authorization to discharge fill material into 1.51 acres of waters of the United States to facilitate road improvements along the New Jersey Turnpike southbound mainline (western spur) and Ramp NWC in the vicinity of Interchange 18W. The site is located within the Hackensack River watershed, in the Borough of Carlstadt, Bergen County, New Jersey.

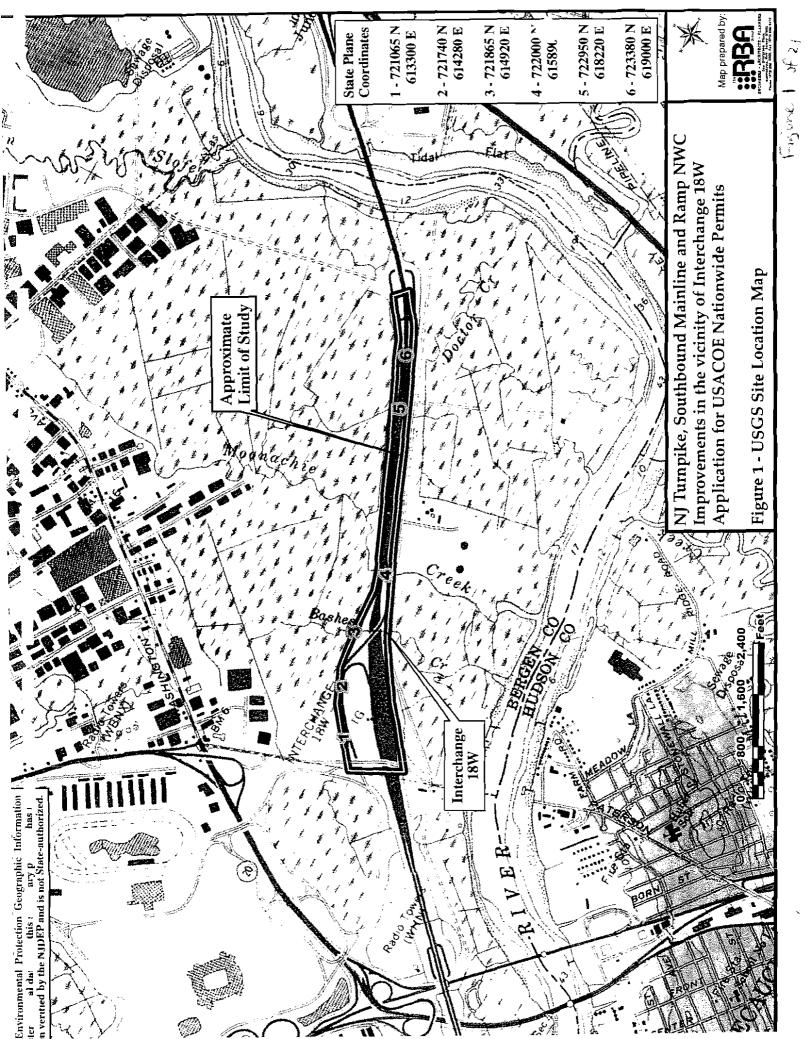
Currently, southbound New Jersey Turnpike (NJT) traffic entering the Meadowlands Sports Complex utilizes a limited access exit lane (NWC Ramp) that lacks deceleration lanes. During Meadowlands Sports Complex events, NJT traffic frequently queues up along the NWC Ramp and the western southbound main line extending to the Hackensack River crossing, resulting in operational, safety, and capacity problems for both the NJT mainline traffic and Ramp NWC traffic. Therefore, the NJTA proposes road improvements to the southbound Ramp NWC which would include two additional decelerations lanes that would provide minimum operational and safety standards to accommodate future traffic volumes entering the Meadowlands Sports Complex.

The proposed road work activities would include the construction of two new 12-foot wide deceleration lanes along Ramp NWC situated on the southbound main lane of the NJT western spur. To facilitate the construction of the two deceleration lanes, the existing NWC Ramp would be widened along its western edge up to 42 feet for a length of approximately 4,000 linear feet. A 12-foot wide partially vegetated shoulder would also be maintained. The vegetated embankment to the toe-of-slope of the road widening would be at a 2:1 ratio.

Additional activities would include the extension of an existing culvert that conveys Moonachie Creek under the NJT with associated stone riprap to stabilize the adjacent creek banks, the construction of two (2) new outfall structures with associated rock riprap scour protection, and the upgrade of seven (7) existing outfall structures with associated riprap scour protection.

Approximately 1.51 acres of waters of the United States would be permanently impacted as a result of the proposed deceleration lane installation activities and the associated outfall installation and maintenance activities. An additional 0.65 acres would be temporarily disturbed as a result of the proposed activities, but will be restored to preconstruction condition upon completion of the road improvements. To compensate for the 1.51 acres of permanent impacts to waters of the United States, the applicant proposes to enhance approximate 4.47 acres of existing non-tidal emergent wetlands dominated by common reed (Phragmites australis) to forested non-tidal wetlands and preserve approximately 0.49 acres of open waters along Bashes Creek, in the Borough of Carlstadt, Bergen County, New Jersey.

The stated purpose of this project is to enhance the operation, safety and capacity of NJT's Ramp NWC, and eliminate the existing substandard design features associated with the main line and ramp configuration, as well as provide for the accommodation of full-time tolling (24-hours-a-day/7 days-a week) of the Ramp NWC ingress traffic.



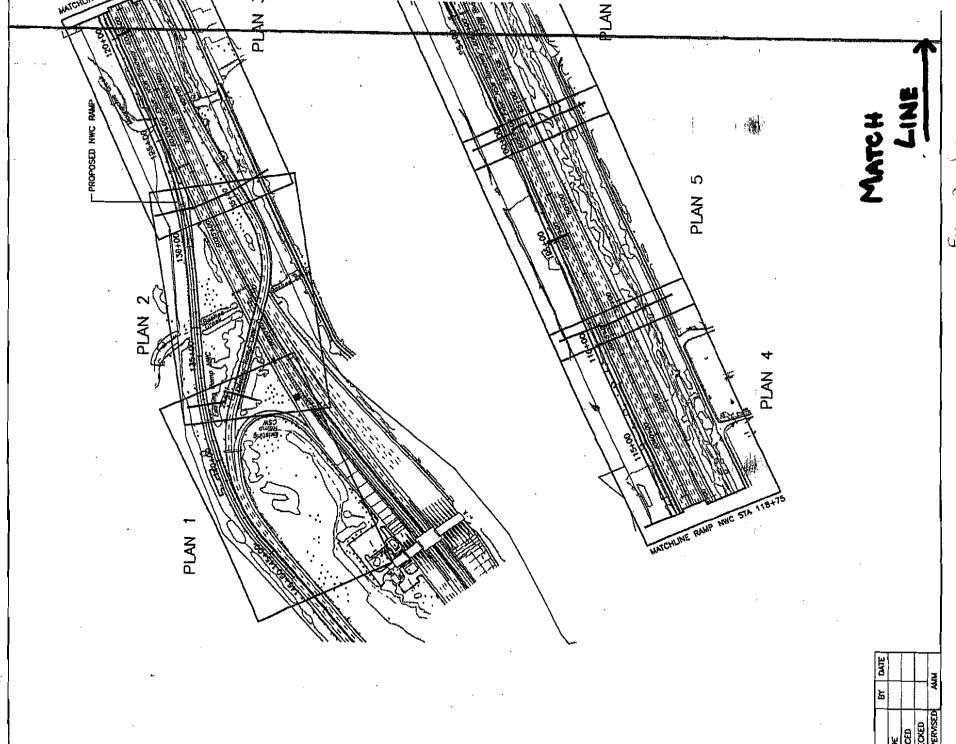
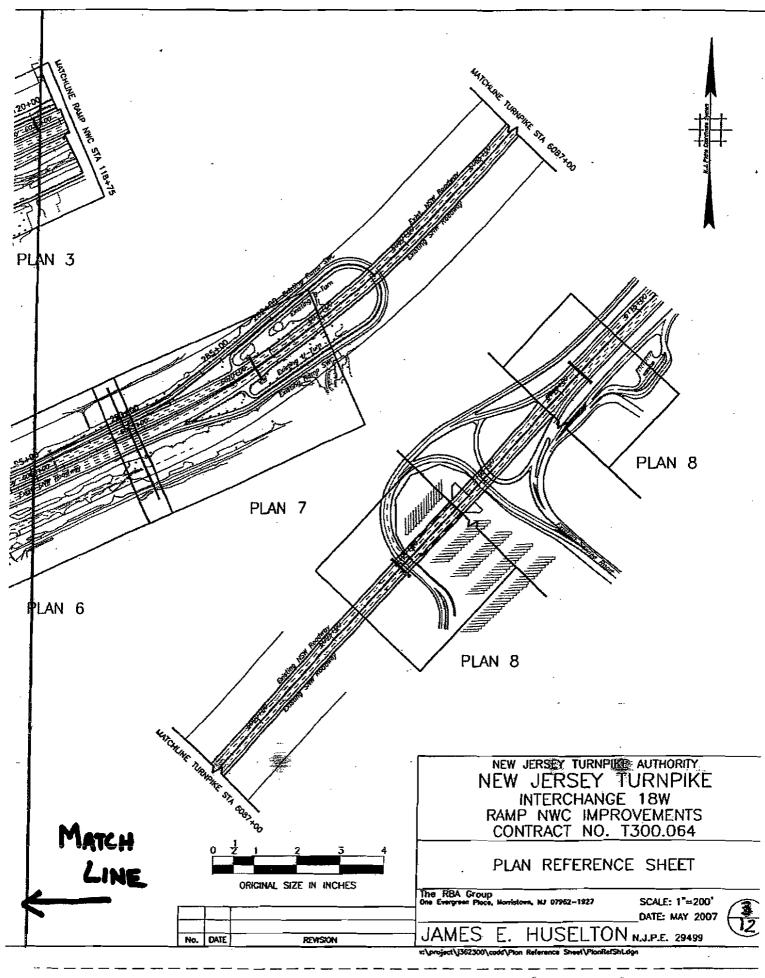


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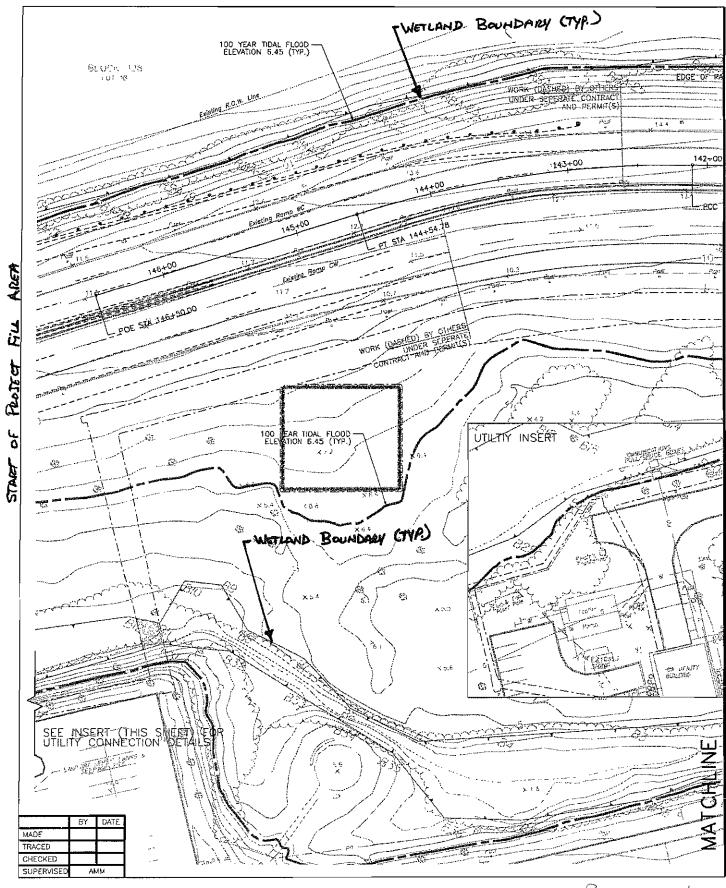


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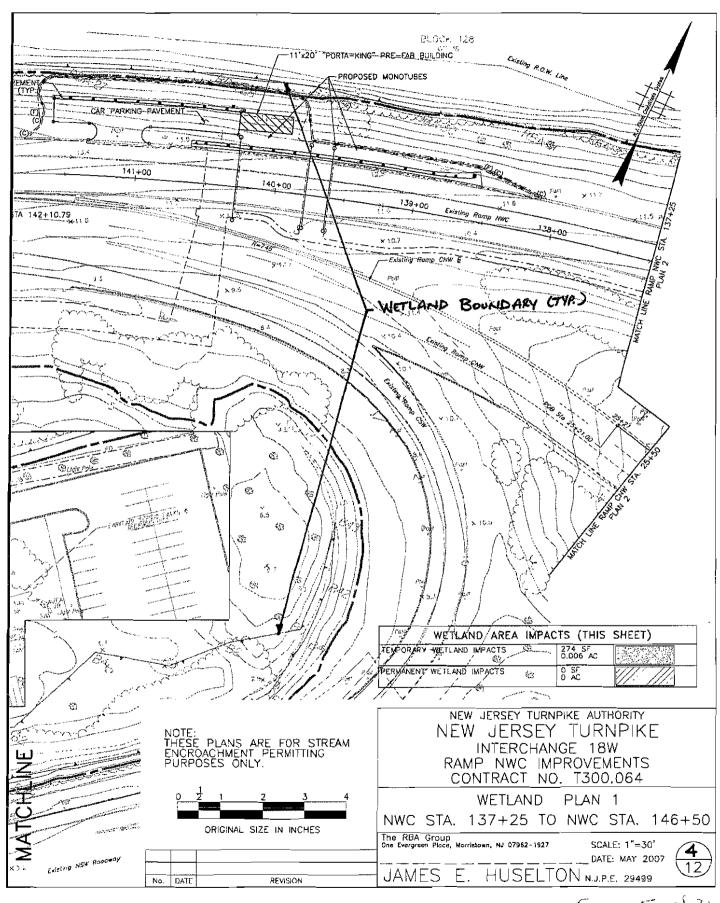


Figure 5 of 21

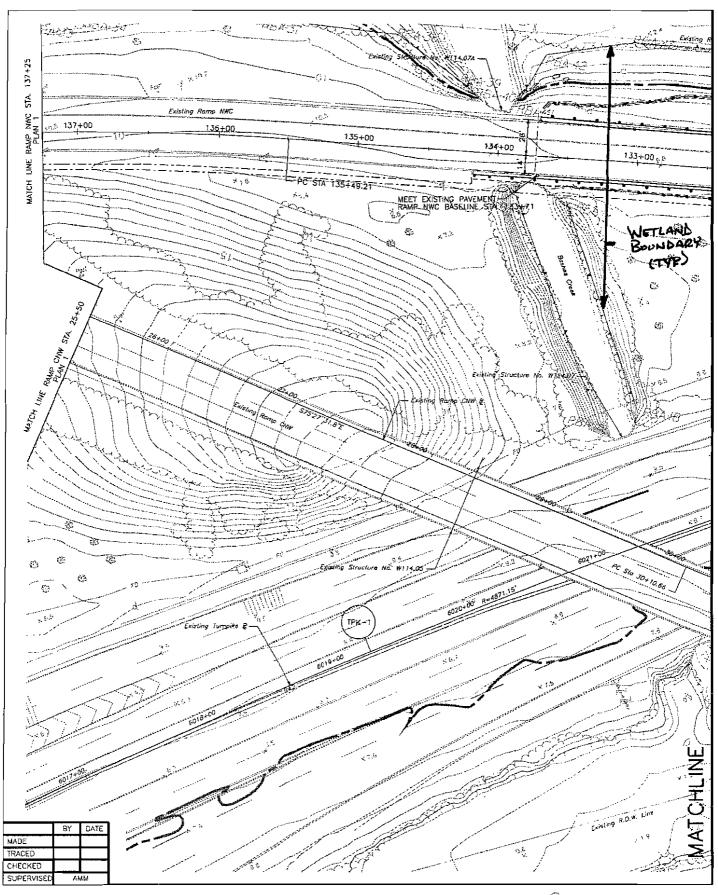
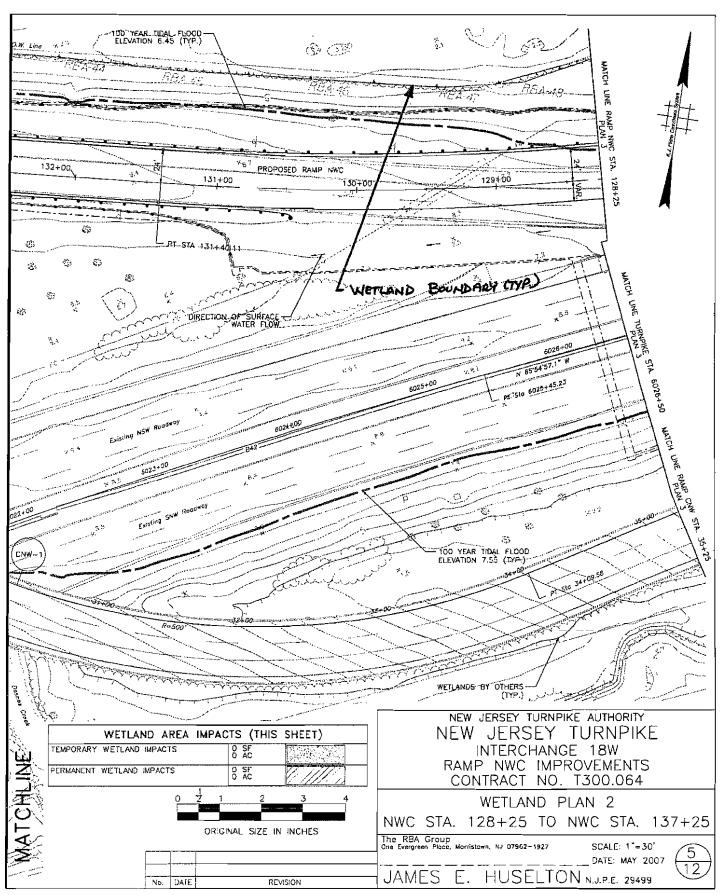
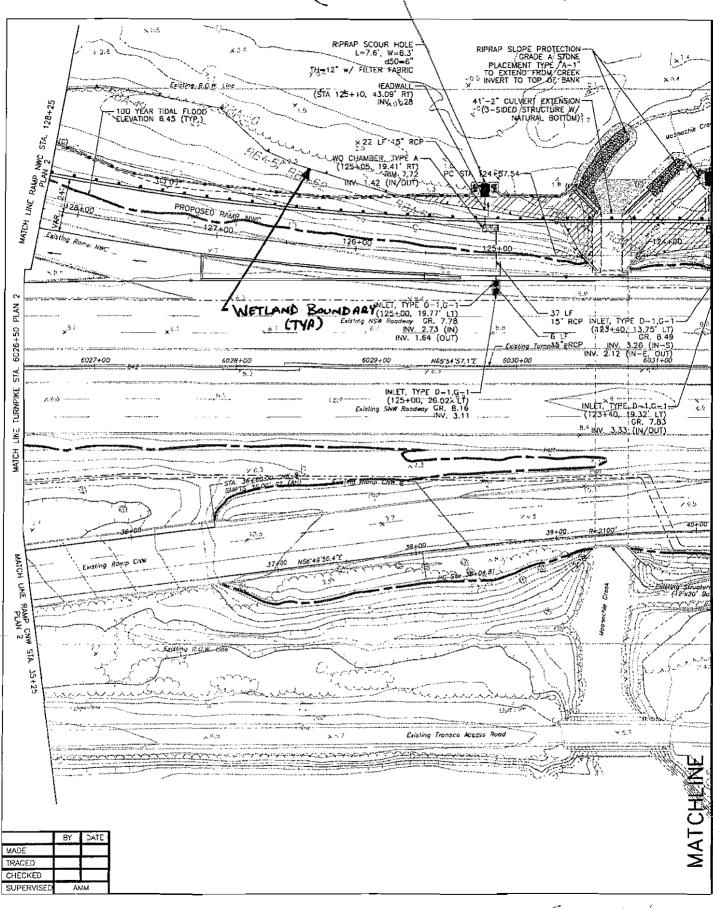
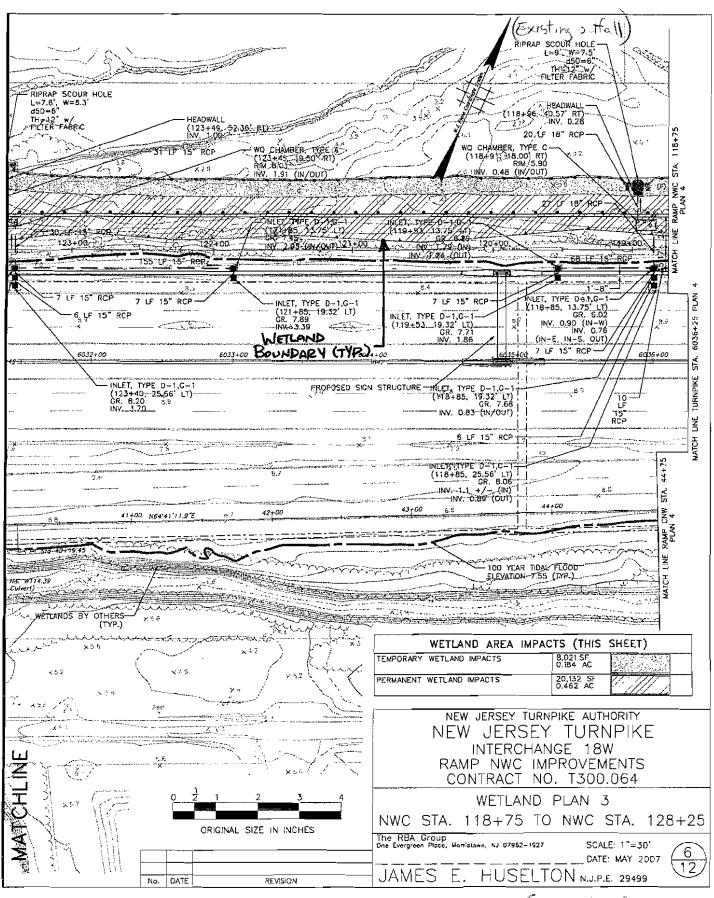


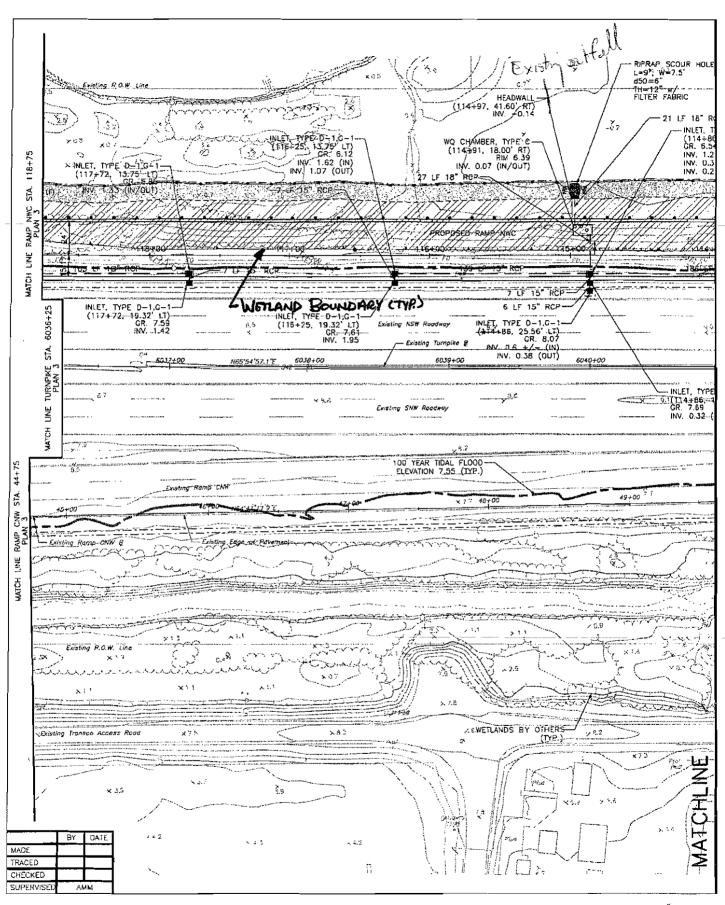
Figure 6 of 21



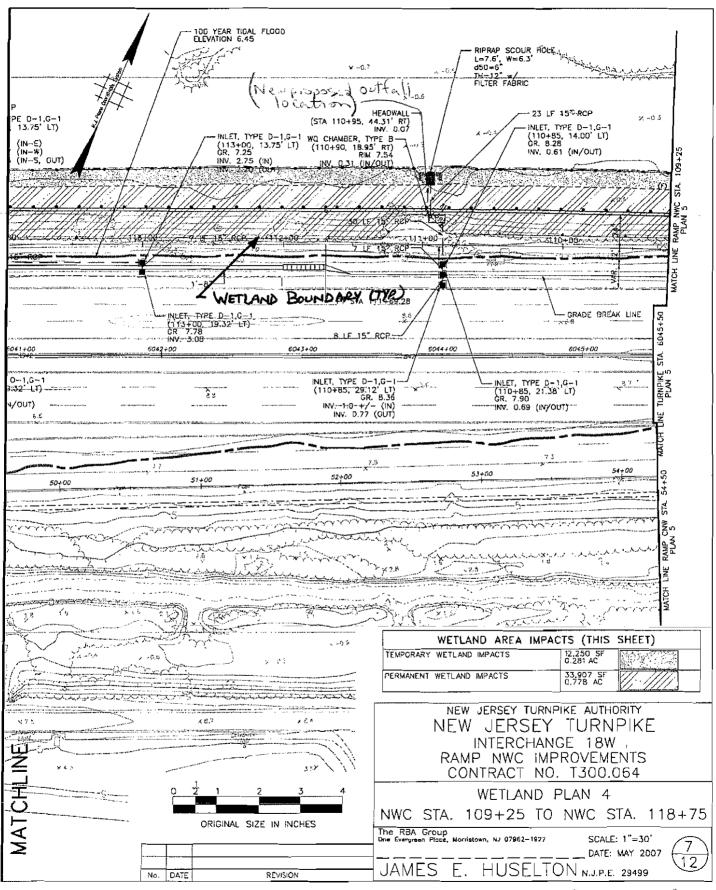
(New proposed outfall location)







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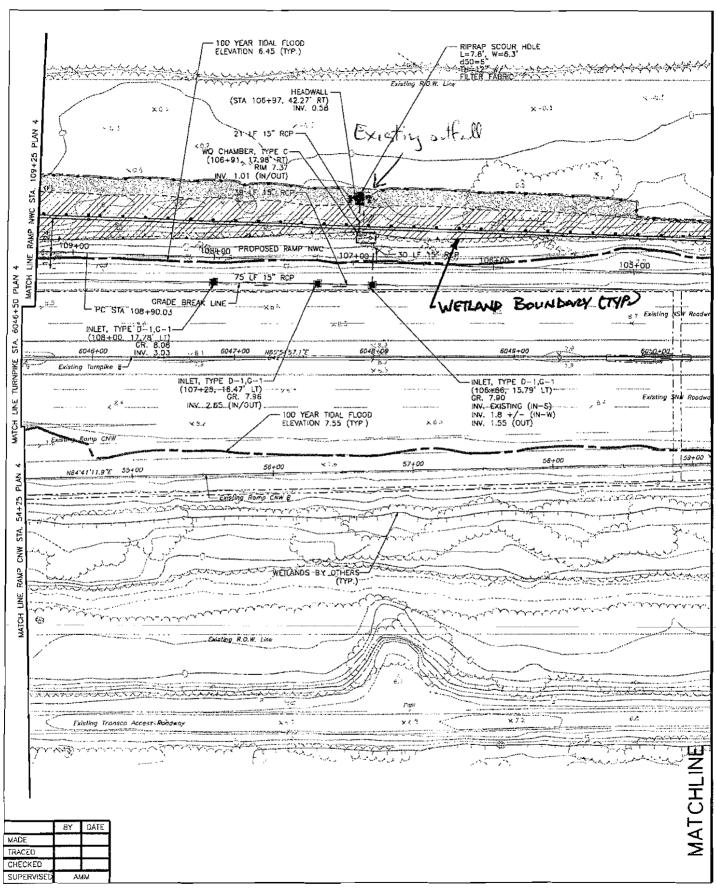
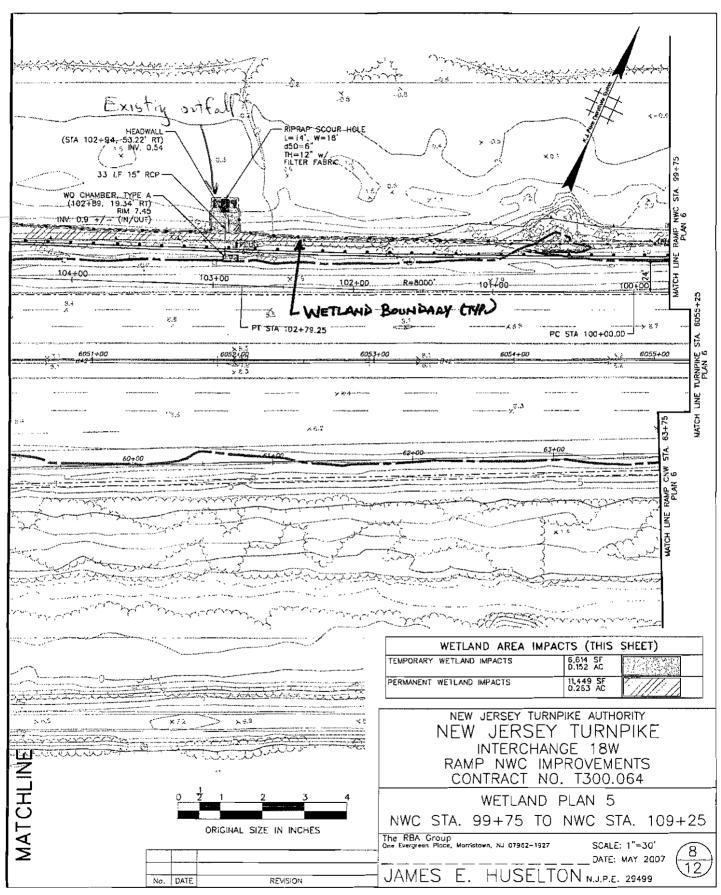


Figure 12 of 21



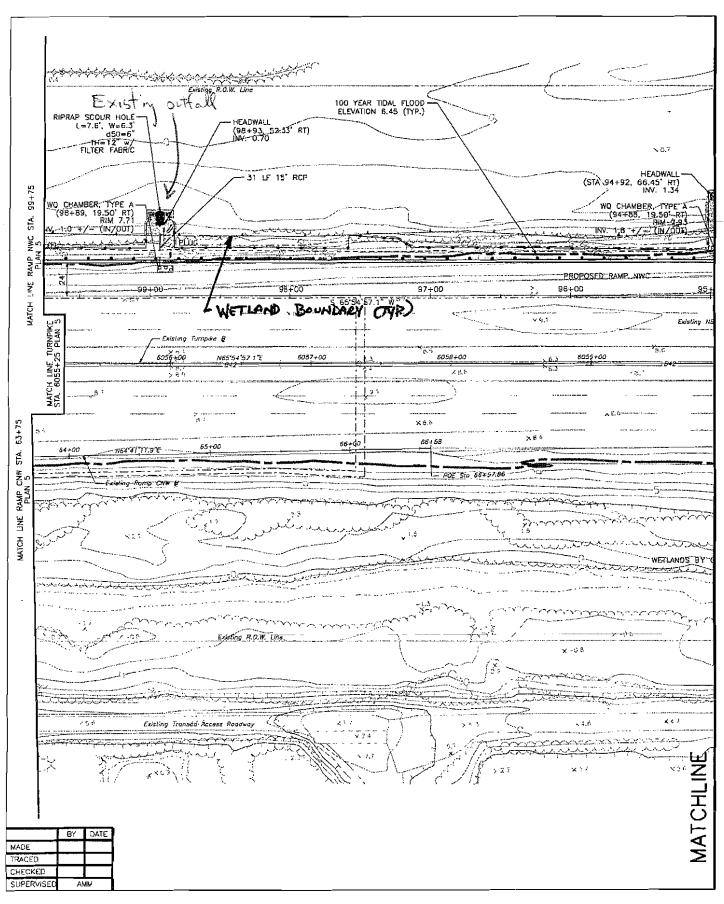
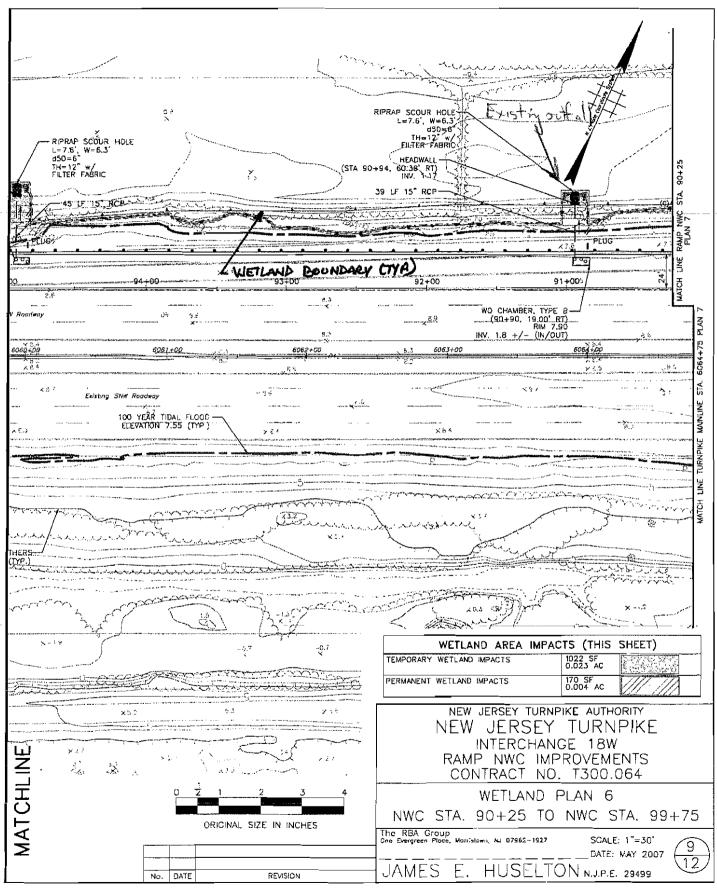
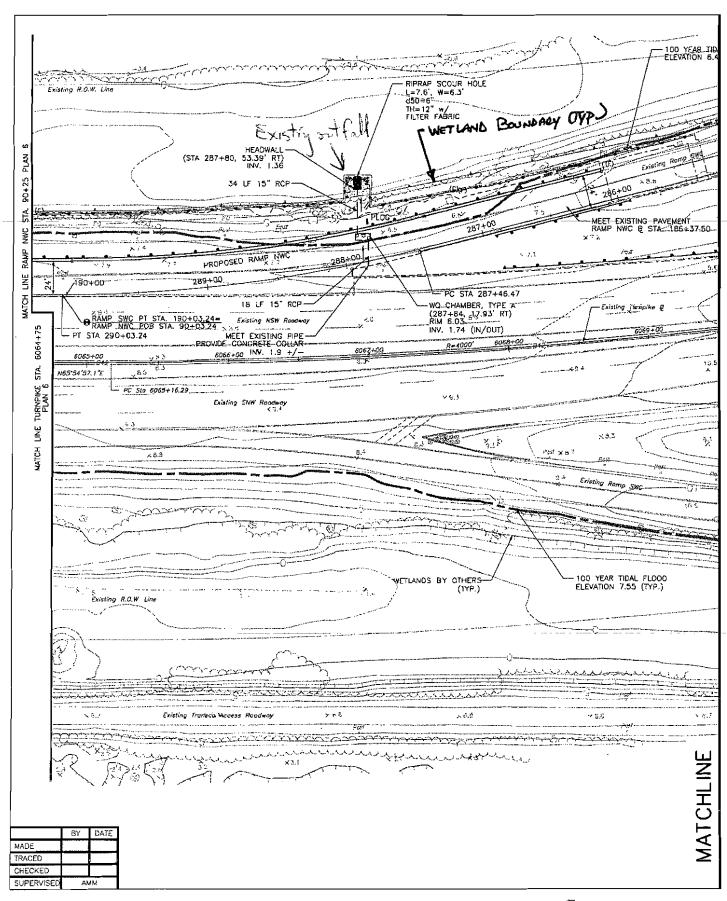


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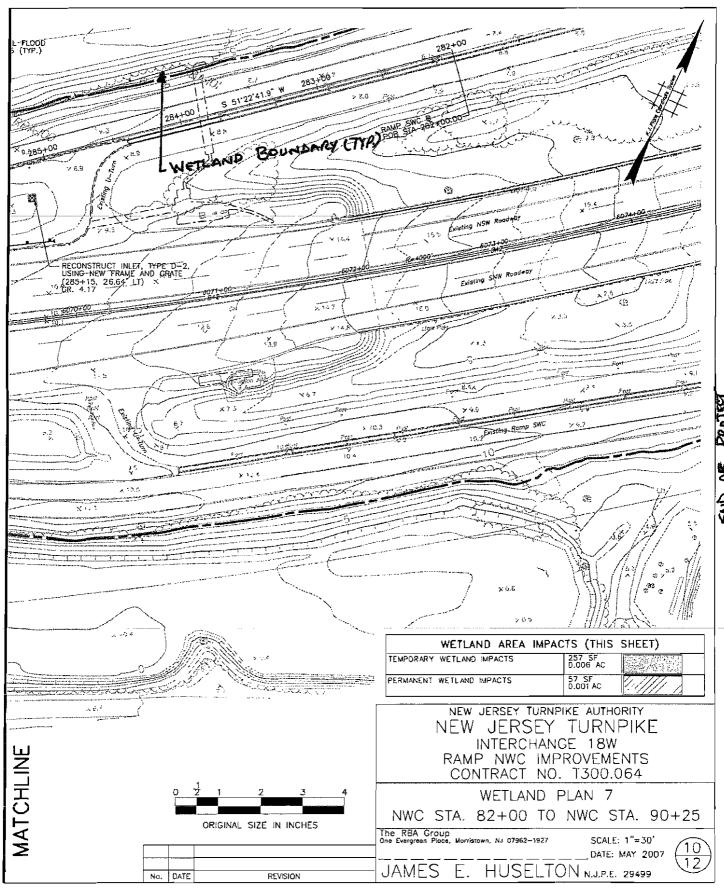
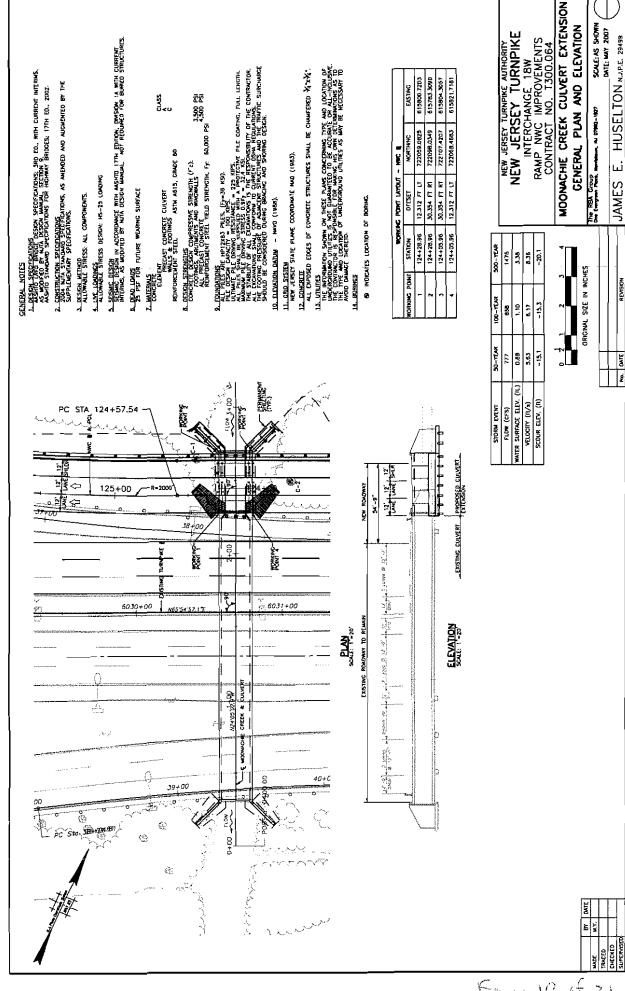
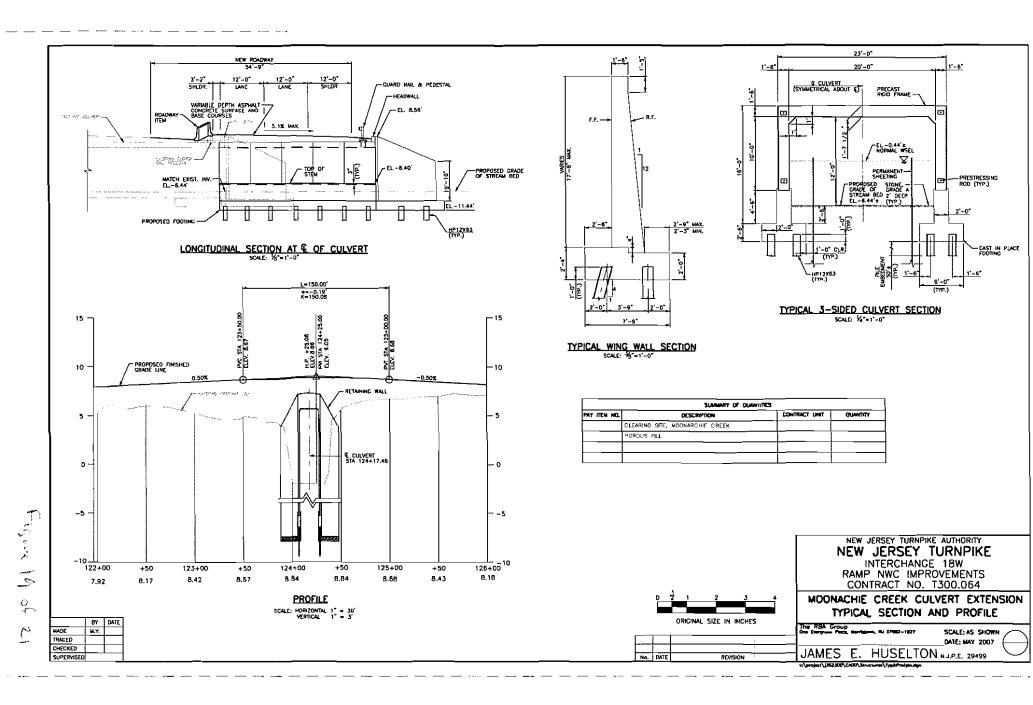
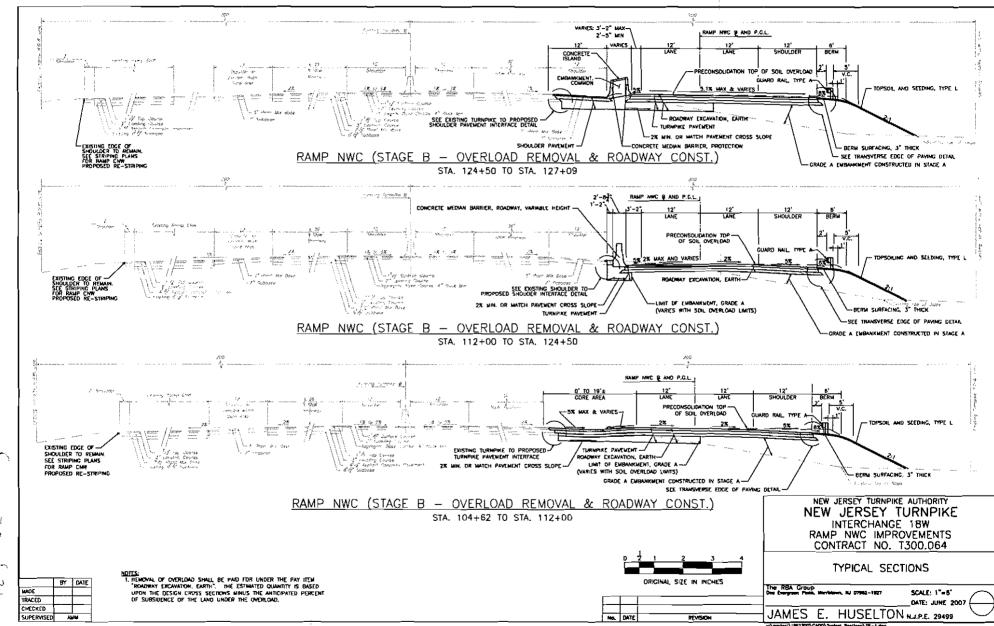


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